

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Naoharu YANAGAWA, et al.

Application No.: Unassigned

(National stage of PCT Application No.

PCT/JP03/016811 filed December 25, 2003)

Filed: July 21, 2005

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) Examiner: Unassigned

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) Group Art Unit: Unassigned

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For: INFORMATION RECORDING MEDIUM AND INFORMATION RECORDING APPARATUS

Commissioner for Patents

MAIL STOP: PCT

Sir:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the document listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

An International Search Report (ISR) dated April 27, 2004 is attached together with the two documents listed thereon. These documents and all additional documents are listed on the enclosed PTO Form 1449.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any documents listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or search report for a corresponding application.

10/542853

Application Serial No. NEW
Attorney Docket No.: 041465-5266

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This submission does not represent that a search has been made or that no better art exists

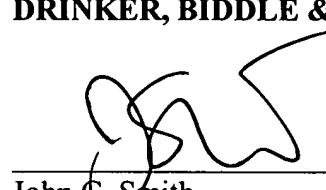
and does not constitute an admission that the listed documents is material or constitute "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, *or* credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: July 21, 2005

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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.